

RELIEF FROM STAY INFORMATION SHEET

* * SEE IMPORTANT INSTRUCTIONS ON FORM EDC 3-468-INST * *
PLEASE COMPLETE ALL PORTIONS APPLICABLE TO THE RELIEF FROM STAY MOTION

DEBTOR: Israel C. and Maricruz Carlos CASE NO. 10-51054

MOVANT: Tri Counties Bank DC NO. PJR-001

HEARING DATE/TIME: January 18, 2011 / 1:00 p.m.

RELIEF IS SOUGHT AS TO ☒ REAL PROPERTY ☐ PERSONAL PROPERTY ☐ STATE COURT LITIGATION

1. Address OR description of property or state court action 6221 Woodbury Drive, Magalia, CA 95954

2. Movant's trust deed is a ☒ 1st ☐ 2nd ☐ 3rd ☐ Other: _____

OR

Leased property is ☒ Residential ☐ Non-residential Term: ☐ Month-to-Month ☐ Other

3. Verified appraisal filed? No Movant's valuation of property \$ 65,000.00

4. The following amounts are presently owing to movant for:

PRINCIPAL	INTEREST	COSTS	TOTAL
\$ <u>102,739.99</u>	\$ <u>4,206.47</u>	\$ <u>175.48</u>	\$ <u>107,121.94</u>

5. State identity, rank, and balance owing to other known lien holders. Use additional page if necessary.

_____	\$ _____
_____	\$ _____
_____	\$ _____

TOTAL ALL LIENS \$ 107,121.94

DEBTOR'S EQUITY \$ 0.00

FOR COURT USE ONLY

Note date: _____
Note amount: _____
Note payment: _____

FOR COURT USE ONLY

6. Monthly payment is \$ 854.83, of which \$ 0.00 is for impound account. Monthly late charge is \$ 51.29.

7. The last payment by debtor was received on 12/03/10 and was applied to the payment due 6/29/10.

8. Number of payments past due and amount: (a) Pre-petition 4 \$ 3,417.20 (b) Post-petition 1 \$ 854.83.

9. Notice of Default was recorded on _____. Notice of sale was published on _____.

10. If a chapter 13 case, in what class is this claim? Class 3

11. Grounds for seeking relief (check as applicable):

☒ Cause ☒ Inadequate protection ☒ Lack of equity ☐ Lack of insurance ☐ Bad faith
☐ Other _____.

12. For each ground checked above furnish a brief supporting statement in the space below.

The debtor is in serious default on the contract and does not have any equity. The movant is inadequately protected. The proposed Chapter 13 plan provides for surrender of the real property.